

CITY OF ANGELS  
CITY COUNCIL  
MINUTES  
**Tuesday, December 3, 2013**

Council Members Present: Mayor Elaine Morris, Vice Mayor Jack Lynch, Stuart Raggio, Wes Kulm and Bert Sobon

Staff Present: Michael McHatten, Derek Cole, Dave Myers, Todd Fordahl, Dave Hanham, Steve Flaigg and Mary Kelly

**5:00 p.m. CALL TO ORDER**

Chair Morris called the City Council meeting to order at 5:00 p.m. The City Council convened to closed session. Chair Morris reconvened to open session.

**6:00 p.m. REGULAR MEETING – CALL TO ORDER**

**ACTION TAKEN IN CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9

Action: Direction given to Counsel

**B. CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**

Paragraph (1) of subdivision (d) of Govt. Code Section 54956.9 Difun, Croletto, Rosato and Turco v. City of Angels Camp, and City of Angels Camp Landscaping and Lighting District #1, Calaveras County Superior Court, Case No.13-cv-39523

Action: Direction given to Counsel

**C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (d)(4) of Government Code Section 54956.9

Action: Direction given to Counsel

**APPROVAL OF AGENDA**

MOTION by Council Member Sobon, seconded by Council Member Raggio and carried 5-0 APPROVING THE AGENDA AS PRESENTED.

**STAFF UPDATES**

Council Member Lynch asked staff if a Reverse 911 was included in the City disaster plan. The City Administrator said it is not. The Reverse 911 is system based and the City does not have the system. He would need to check the cost.

**Action: City Administrator to gather additional information and cost on Reverse 911.**

Council Member Lynch complimented staff on the annual water inspection.

**Action: Copy of inspection report to be provided to Council.**

Council Member Lynch reported on significant activities at the Museum.

Council Member Lynch asked if the first quarter management reports were generated. The City Administrator reported this is still being worked on.

Council Member Lynch asked the status of the Heritage Tree Ordinance. This item has been removed from the consolidated Report. The Planning Director said it is being reviewed by the City Attorney.

**Action: The Heritage Tree Ordinance to be put back in the Consolidated Report as a “Look Ahead” item.**

The City Administrator asked the Council to send him an email when they have questions on agenda items. By doing this, he can have answers to their questions at the Council meeting.

Council Member Sobon noted that an algae control system was being installed at Holman Reservoir. He asked how algae was controlled prior to this new system. The City Engineer stated that an inflow floats near the top of the reservoir and keeps mud, etc. from the bottom.

### **COUNCIL UPDATES**

#### **Bert Sobon**

- Attended ACBA Christmas parade.

#### **Wes Kulm**

- Attended Adhoc meeting at CCOG regarding labor relations.
- Attended Executive Committee meeting.
- Attended ACBA Christmas parade.
- Attended ACBA Christmas dinner at Camps.

#### **Jack Lynch**

- Attended the ACBA Christmas parade and thanked the Menarys for their participation.
- Attended UWPA meeting and reviewed draft contracts of water allocations to the City and UPUD.

#### **Stuart Raggio**

- Attended ACBA Christmas parade. Thanks the Public Works department for a great decorating job.

#### **Elaine Morris**

- Attended the ACBA Christmas parade. And thought it was the best ever. Thanked everyone involved.

### **PUBLIC COMMENT**

Public comment period was opened at 6:13 pm.

There was no comment from those present.

Public comment period was closed at 6:13 pm.

### **CONSENT AGENDA**

**MOTION** by Council Member Kulm, seconded by Council Member Lynch and carried 5-0 ADOPTING THE CONSENT AGENDA ITEM AS PRESENTED:

- a. Approve Minutes of Regular meeting on November 19, 2013.
- b. Approval of Budget Amendment for donation provided to the City.
- c. Approval of a MOU between the City and the City of Angels Employees Association for an Agency Shop Arrangement.

### **REGULAR AGENDA**

**1. INTRODUCE ORDINANCE NO. 463 AMENDING CHAPTER 15.04 OF THE CITY OF ANGELS MUNICIPAL CODE**

**MOTION** by Council Member Raggio, seconded by Council Member Lynch and carried 5-0 INTRODUCING ORDINANCE NO. 463. AN ORDINANCE AMENDING CHAPTER 15.04 (UNIFORM CODES – BUILDING PERMITS) OF THE CITY OF ANGELS MUNICIPAL CODE: WAIVE READING AND DIRECT STAFF TO SET PUBLIC HEARING FOR JANUARY 7, 2014.

**2. RECONSIDERATION OF ADOPTION OF RESOLUTION 13-31. A RESOLUTION ACCEPTING THE DEDICATION OF KIRBY STREET AND REJECTING KIRBY STREET FOR MAINTENANCE ( Approved 9/15/2013 [Regular Business Item no. 1]; Reconsideration Granted on October 1, 2013) Item continued from November 19, 2013 Council Meeting.**

The City Attorney reported this item was continued from the last Council meeting. He outlined what actions the Council could make. (1) Council could affirm the resolution made on September 15, 2013 accepting Kirby Street or (2) Council could rescind that resolution. He explained that additional information provided to him, including a tentative parcel map approved by the City Council in

September 2007, outlined conditions of approval. Included in the resolution and conditions of approval was the dedication for utility easements to the city. The City Attorney showed that both parties (Fish and Menary) have private access to the road. The question then is does the Council think it is necessary to accept the road into the City road system when the City already has utility easements.

The Mayor opened the item for public comment and there being none, public comment was closed.

MOTION by Council Member Kulm, seconded by Council Member Raggio and carried 5-0  
RESCINDING CITY OF ANGELS RESOLUTION 13-31 DATED SEPTEMBER 15, 2013.

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3. **LEAD AND COPPER EXCEEDANCE**

This was an informational item only. No action was required.

Calendar was reviewed by the City Clerk.

**MEETING WAS ADJOURNED AT 6:50 P.M.**

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Elaine Morris  
Mayor

ATTEST:

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Mary Kelly  
City Clerk